

FILED

JULY 15, 2009

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TO: CLERK U.S. DISTRICT COURT
UNITED STATES DISTRICT COURT
450 GOLDEN GATE AVENUE, 16TH FLOOR
SAN FRANCISCO, CA 94102

CLERK U.S. DISTRICT COURT
SAN FRANCISCO, CALIFORNIA

FROM: LORENZO BENTON B-85066
P.B.S.P. SHU DR-101
P.O. BOX 7500
OAKLAND CITY, CA 95532-7500

RE: NOTICE - APPEAL FEE PAST DUE (CASE NUMBER: 08-CV-00295-MMC)

DEAR CLERK, U.S. DISTRICT COURT:

AS NOTED IN YOUR THIRD & FINAL NOTICE - APPEAL FEE PAST DUE, THIS IS YOUR THIRD NOTICE OF FEE DUE. WELL I WOULD LIKE FOR YOU TO KNOW, PRIOR TO RECEIVING THIS THIRD NOTICE ON THIS 15 DAY OF JULY 2009, I INITIALLY ACKNOWLEDGE YOUR INITIAL NOTICE OF APRIL 13, 2009, ON OR ABOUT APRIL 19, 2009, WHEREBY AT SAID TIME I ATTEMPTED TO MAKE YOU AWARE, THAT WHEN I FILED MY NOTICE OF APPEAL ON APRIL 5, 2009, I ALSO FILED WITH IT A CERTIFICATE OF APPEALABILITY AND A MOTION FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS STATUS, TO WHICH THE CERTIFICATE OF APPEALABILITY AND TO PROCEED IN FORMA PAUPERIS ON APPEAL WERE DENIED ON APRIL 10, 2009. NOW AS NOTED WITHIN MY IN FORMA PAUPERIS MOTION, I AM/WAS INDIGENT AND TO THIS DAY I REMAIN AS SO AND WITHOUT THE GRANTING OF IN FORMA PAUPERIS, I AM UNABLE TO PROVIDE YOU WITH THE \$455.00 DOCKETING FEE. SO UNLESS, I AM GIVEN IN FORMA PAUPERIS STATUS, I AM NOT IN A POSITION TO PROVIDE SAID PAYMENT.

TRUTHFULLY SUBMITTED BY:

Lorenzo Benton

HERNANDEZ BEATON B-83066
P.O. BOX 7500
Crescent City, CA. 95532-7500

PELICAN BAY STATE PRISON
5905 Lake Earl Dr
Crescent City CA 95532



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UNITED STATES DISTRICT COURT
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SAN FRANCISCO, CA. 94102

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M. J. J. J.

7/15/09

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